

REMARKS

In an Office Action dated April 12, 2007, Claims 1-20 were rejected. Claims 1-3, 6-12, 14-15, 18, and 20 were rejected under 35 U.S.C. §102 as being anticipated by Maroszek (U.S. Patent No. 5,052,552) and Claims 1, 4, 6-12, 14-15, 18, and 20 were rejected under 35 U.S.C. §102 as being unpatentable over Daughtry. Claims 1-3, 6-12, 14-18, and 20 were rejected under 35 U.S.C. §103 as being unpatentable under Maroszek. Claims 1, 5-10, 13-17, and 20 were rejected under 35 U.S.C. §103 as unpatentable over Daughtry. Applicant hereby amends and respectfully traverses the rejections.

REJECTION OF CLAIMS 1-3, 6-12, 14-15, 18, AND 20 UNDER 35 U.S.C. §102

Claims 1-3, 6-12, 14-15, 18, and 20 stand rejected under 35 U.S.C. §102 as being anticipated by Maroszek (U.S. Patent 5,052,552). Maroszek discloses a carton structure erectable by folding from a substantially flat blank, including two side panels, a bottom panel, two top panels, a center divider panel and two end panels, each extending from the bottom panel. Each end panel has slot means for engaging the center divider panel when the carton is erected. Applicant hereby traverses the rejection.

Maroszek fails to disclose, teach, or fairly suggest a plurality of internal walls, as required by amended Claims 1, 10, and 18. At most, Maroszek teaches a single internal wall (FIGURES 1, 2, and 5). As Maroszek does not teach a plurality of internal walls, Maroszek also cannot teach a plurality of vessel apertures defined at least in part by a plurality of internal walls. Similarly, Maroszek cannot teach a central chamber defined at least in part by the plurality of internal walls. Maroszek does not disclose, teach, or fairly suggest a central chamber; at best, Maroszek teaches a pair of central chambers (to the extent that is possible) separated by an internal wall. Finally, Maroszek does not teach an uncovered central chamber, and Maroszek does not teach an uncovered central chamber accessible from above the carrier.

25315

CUSTOMER NUMBER

- 7 -

RAIN-1-1005RFOA

BLACK LOWE & GRAHAM PLLC



701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

Therefore, Applicant submits that Maroszek fails to teach or suggest a multi-use carrier as disclosed by the Applicant. Thus, Claims 1, 10, and 18 are allowable over the cited reference. Because Claims 2-3, 6-9, 11-12, 14-15, and 20 depend upon allowable independent Claims 1, 10, and 18, they are allowable for the same reasons that make their corresponding independent claims allowable.

Claims 1, 4, 6-10, 14-15, and 20 were rejected as being anticipated by Daughtry (U.S. Patent No. 3,703,982). Applicant respectfully disagrees. Daughtry teaches a carrier comprising a bottom wall, first and second end walls extending upwardly from said bottom wall, and a handle extending between said first and second end walls, said handle having a horizontal panel and downwardly folded stiffening flanges thereon (Abstract). Daughtry does not teach, disclose, or fairly suggest a plurality of vessel apertures defined at least in part by a plurality of internal walls having a greater height than thickness, as required by Claims 1, 10, and 18. In fact, Daughtry does not teach internal walls at all. Thus, Daughtry also cannot teach an uncovered central chamber defined at least in part by the plurality of internal walls. As Claims 4, 6-9, 14-15, and 20 depend from Claims 1, 10, and 18, they are patentable for at least the same reasons. Additionally, Applicant's Claim 8 requires the chamber includes a plurality of internal walls having surfaces for receiving a plurality of printed messages and images; Maroszek and Daughtry do not teach a plurality of internal walls, and so cannot teach a plurality of internal walls having surfaces.

REJECTION OF CLAIMS 1-20 UNDER 35 U.S.C. §103

Claims 1-3, 6-12, 14-18, and 20 stand rejected under 35 U.S.C. §103 as being unpatentable over Maroszek with those differences not met exactly by Maroszek held to be inherent or within the realm of common knowledge in the art. Applicant hereby traverses the rejection.

25315

CUSTOMER NUMBER

- 8 -

RAIN-1-1065RFOA

BLACK LOWE & GRAHAM ^{PLC}

701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

Applicant submits that there is no suggestion, motivation or teaching in Maroszek to provide for the uncovered central chamber feature of Applicant's disclosure. Further, for purposes of argument only, if Maroszek did disclose the central chamber unit, it would make the inventive aspect of Maroszek unsatisfactory for its intended purpose. Specifically, Maroszek discloses a central divider panel (Figs. 1-5) comprising an upper portion 40 and a lower portion 32 located between bottom panel 26 and top panels 28 and 30 (See also Figs. 3 and 4). The inside surface of first and second upper portions 36 and 40 are bonded together to form a single unit (column 2; lines 53-66). Maroszek leaves no room in its carrier to form a central chamber unit surrounded by a plurality of vessel apertures. Further, Maroszek does not disclose, teach or fairly suggest reason to provide for the central chamber in view of its central divider panel as illustrated by Figs. 1-5. Additionally, as noted above, Maroszek does not teach, suggest, or disclose a plurality of internal walls. Finally, Applicant notes that the art field

Therefore, Applicant submits that independent Claims 1, 10, and 18 are allowable over the cited reference. Because Claims 2-3, 6-9, 11-12, 14-17, and 20 depend upon allowable independent Claims 1, 10, and 18, they are allowable for the same reasons that make their corresponding independent claims allowable.

Claims 1, 5-10, 13-17, and 20 were rejected as being unpatentable over Daughtry. Applicant respectfully disagrees. Daughtry does not teach a plurality of internal walls, as taught by Applicant, and provides no hint of the desirability of doing so. Thus, Applicant submits that the amended claims are patentable over Daughtry.

Claims 4-9, 13-15 and 19-20 were rejected as being unpatentable over Maroszek in view of Picciolo. Picciolo fails to supply the teachings missing from Maroszek. In fact, Picciolo reinforces the argument that the central chamber of Claims 1, 10, and 18 is not obvious, as Picciolo also does not disclose a central chamber. Picciolo also, as noted above, does not teach or disclose a plurality of internal walls, thus reinforcing the argument that a plurality of internal walls is not obvious. In fact, Applicant does not see any teaching in Picciolo that is not disclosed

25315

CUSTOMER NUMBER

- 9 -

RAIN-1-1005RFOA

BLACK LOWE & GRAHAM PLLC



701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

in Maroszek. Thus, Applicant submits that independent Claims 1, 10, and 18 are allowable over the cited references. Because Claims 4-9, 13-15, and 19-20 depend upon allowable independent Claims 1, 10, and 18, they are allowable for the same reasons that make their corresponding independent claims allowable.

Claims 6-9, 14-15, and 20 were rejected as unpatentable over Daughtry in view of Picciolo. Applicant respectfully disagrees. Neither Daughtry nor Picciolo discloses, teaches, or fairly suggests a plurality of internal walls, much less a plurality of internal walls having surfaces for receiving a plurality of printed messages and images. Thus, Applicant submits that the Claims are patentable over the cited art.

Finally, with respect to Examiner's argument that neither Maroszek nor Picciolo requires a central chamber as described and claimed by Applicant to anticipate Applicant's central chamber. It is hard for Applicant to see how either, or both in combination, could suggest a central chamber to those having ordinary skill in the art, when neither teaches, suggests, or discloses such a central chamber. The argument is further undermined by the narrow range of equivalents afforded patents in crowded fields of art.

CONCLUSION

Applicant respectfully submits that all of the claims are now in condition for allowance over the cited reference. Accordingly, Applicant requests withdrawal of the rejections, allowance and early passage through issuance. If Examiner has any questions regarding this application, the Examiner is invited to contact the Applicant's agent listed below.

Respectfully submitted,

BLACK LOWE & GRAHAM^{PLLC}



James A. Born
Registration No. 46,564

25315

CUSTOMER NUMBER

- 10 -

RAIN-1-1005RFOA

BLACK LOWE & GRAHAM^{PLLC}



701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301